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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/761,146

01/20/2004

Eiki Matsuo

9319S-000616

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02/23/2005

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EXAMINER

CHOI, WILLIAM C

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,146

Applicant(s)

MATSUO, EIKI

Examiner

William C. Choi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 and 9 is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/20/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0104</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

Receipt of the Information Disclosure Statement (IDS) with the copies of the references cited therein was received on 1/20/2004. An initialized copy of the IDS is enclosed with this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawakami (U.S. 6,476,982 B1).

In regard to claim 1, Kawakami discloses an imaging lens, comprising: a lens system (column 6, lines 49-59, Figure 1) including, in order from an object side: a

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positive first lens with a convex surface facing the object side (column 6, lines 54-55, Figure 1, "L1"); an aperture stop provided on the object side of the first lens (column 6, lines 51-52, Figure 1, "S"); a meniscus second lens with a concave surface facing the object side (column 6, lines 56-57, Figure 1, "L3"); and a meniscus third lens with a convex surface facing the object side (column 6, lines 57-59, Figure 1, "L4"); wherein: the second lens includes an aspheric surface (column 8, lines 4, Table 1, "4"); the third lens is a biaspheric lens (column 8, lines 6-7, Table 1, "6, 7"); the second and the third lens have paraxial focal lengths with different signs (column 6, lines 57-59, Figure 1, "L3, L4") and satisfies the condition $1.25 < v_{\max}/v_{\min}$ (column 7, line 65 and column 8, line 6, Table 1, " v_d ").

Regarding claim 2, Kawakami discloses wherein the second lens is a biaspheric lens (column 8, lines 4-5, Table 1, "4*", "5*").

Regarding claim 4, Kawakami discloses wherein any aspheric surface of a biaspheric lens of the lens system includes a plurality of points of inflection in an effective diameter in which a light beam passes through (Figure 1, "L4").

Regarding claim 5, Kawakami discloses wherein the aperture stop of the lens system is provided on the object side of the first lens (Figure 1, "S, L1").

Regarding claim 6, Kawakami discloses wherein the lens system includes at least a single resin lens (column 5, lines 51-54).

Regarding claim 7, Kawakami discloses wherein the condition regarding the total length and the focal length of the lens system is satisfied (column 7 and 8, Table 1).

Allowable Subject Matter

Claims 8 and 9 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach a combination of all the claimed features as presented in claim 8: an imaging lens comprising an aperture stop, a positive biconvex first lens, a negative meniscus second lens and a positive meniscus third lens in order from an object side as claimed, specifically wherein the third lens is a biaspheric lens and satisfies the condition regarding the Abbe numbers of all three lenses.

The prior art fails to teach a combination of all the claimed features as presented in claim 9: an imaging lens comprising an aperture stop, a positive first lens, a positive meniscus second lens and a negative meniscus third lens in order from an object side as claimed, specifically wherein the third lens is a biaspheric lens and satisfies the condition: $v_3 < 45$.

Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach a combination of all the claimed features as presented in claim 3: an imaging lens system comprising an aperture stop, a positive first lens, a meniscus second lens and a biaspheric third lens as claimed, specifically wherein at least one biaspheric lens satisfies the condition regarding the thickness of the biaspheric lens.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Choi whose telephone number is (571) 272-2324. The examiner can normally be reached on Monday-Friday from about 9:00 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

W.C.
William Choi
Patent Examiner
Art Unit 2873
February 8, 2005


Georgia Epps
Supervisory Patent Examiner
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